

Calendar No. 375

103D CONGRESS  
2D SESSION

**S. 455**

[Report No. 103-231]

**A BILL**

To amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

FEBRUARY 25 (legislative day, FEBRUARY 22), 1994  
Reported with amendments

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 25 (legislative day, JANUARY 5), 1993

Mr. HATFIELD (for himself, Mr. BURNS, Mr. BAUCUS, Mr. CRAIG, Mr. MURKOWSKI, Mr. HATCH, Mr. BINGAMAN, Mr. WALLOP, Mr. DOMENICI, Mr. STEVENS, Mr. BROWN, Mr. EXON, Mr. JEFFORDS, Mr. BENNETT, Mr. DASCHLE, Mr. FORD, Mr. WARNER, Mr. DURENBERGER, Mr. SIMPSON, Mr. DECONCINI, Mr. CONRAD, Mr. DORGAN, Mr. BRYAN, Mr. PRESSLER, Mr. LOTT, Mr. ROBB, Mr. PACKWOOD, Mr. WELLSTONE, Mr. CAMPBELL, Mr. GORTON, Mr. INOUE, Mrs. BOXER, Mr. KEMPThORNE, Mrs. FEINSTEIN, Mr. MCCAIN, Mr. BOREN, Mr. HEFLIN, Mr. McCONNELL, Mr. REID, and Mr. GREGG) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

FEBRUARY 25 (legislative day, FEBRUARY 22), 1994

Reported by Mr. JOHNSTON, with amendments

[Omit the part struck through and insert the part printed in italic]

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**A BILL**

To amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
 2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Payments In Lieu of  
 5       Taxes Act”.

6       **SEC. 2. INCREASE IN PAYMENTS FOR ENTITLEMENT**  
 7               **LANDS.**

8       (a) INCREASE BASED ON CONSUMER PRICE  
 9       INDEX.—Section 6903(b)(1) of title 31, United States  
 10       Code, is amended—

11               (1) in subparagraph (A), by striking “75 cents  
 12               for each acre of entitlement land” and inserting “93  
 13               cents during fiscal year 1994, \$1.11 during fiscal  
 14               year 1995, \$1.29 during fiscal year 1996, \$1.47  
 15               during fiscal year 1997, and \$1.65 during fiscal year  
 16               1998 and thereafter, for each acre of entitlement  
 17               land”; and

18               (2) in subparagraph (B), by striking “10 cents  
 19               for each acre of entitlement land” and inserting “12  
 20               cents during fiscal year 1994, 15 cents during fiscal  
 21               year 1995, 17 cents during fiscal year 1996, 20  
 22               cents during fiscal year 1997, and 22 cents during  
 23               fiscal year 1998 and thereafter, for each acre of en-  
 24               titlement land”.

1           (1) in subparagraph (A), by striking “75 cents  
 2           for each acre of entitlement land” and inserting “93  
 3           cents during fiscal year 1995, \$1.11 during fiscal  
 4           year 1996, \$1.29 during fiscal year 1997, \$1.47 dur-  
 5           ing fiscal year 1998, and \$1.65 during fiscal year  
 6           1999 and thereafter, for each acre of entitlement  
 7           land”; and

8           (2) in subparagraph (B), by striking “10 cents  
 9           for each acre of entitlement land” and inserting “12  
 10          cents during fiscal year 1995, 15 cents during fiscal  
 11          year 1996, 17 cents during fiscal year 1997, 20 cents  
 12          during fiscal year 1998, and 22 cents during fiscal  
 13          year 1999 and thereafter, for each acre of entitlement  
 14          land”.

15          (b) INCREASE IN POPULATION CAP.—Section  
 16          6903(c) of title 31, United States Code, is amended—

17               (1) in paragraph (1), by striking “\$50 times  
 18               the population” and inserting “the highest dollar  
 19               amount specified in paragraph (2)”; and

20               (2) in paragraph (2), by amending the table at  
 21               the end to read as follows:

| <b>“If population equals—</b> | <b>the limitation<br/>is equal to the<br/>population<br/>times—</b> |
|-------------------------------|---|
| 5,000 .....                   | \$110.00  |
| 6,000 .....                   | 103.00  |
| 7,000 .....                   | 97.00   |
| 8,000 .....                   | 90.00   |
| 9,000 .....                   | 84.00   |

|              |         |
|--------------|---------|
| 10,000 ..... | 77.00   |
| 11,000 ..... | 75.00   |
| 12,000 ..... | 73.00   |
| 13,000 ..... | 70.00   |
| 14,000 ..... | 68.00   |
| 15,000 ..... | 66.00   |
| 16,000 ..... | 65.00   |
| 17,000 ..... | 64.00   |
| 18,000 ..... | 63.00   |
| 19,000 ..... | 62.00   |
| 20,000 ..... | 61.00   |
| 21,000 ..... | 60.00   |
| 22,000 ..... | 59.00   |
| 23,000 ..... | 59.00   |
| 24,000 ..... | 58.00   |
| 25,000 ..... | 57.00   |
| 26,000 ..... | 56.00   |
| 27,000 ..... | 56.00   |
| 28,000 ..... | 56.00   |
| 29,000 ..... | 55.00   |
| 30,000 ..... | 55.00   |
| 31,000 ..... | 54.00   |
| 32,000 ..... | 54.00   |
| 33,000 ..... | 53.00   |
| 34,000 ..... | 53.00   |
| 35,000 ..... | 52.00   |
| 36,000 ..... | 52.00   |
| 37,000 ..... | 51.00   |
| 38,000 ..... | 51.00   |
| 39,000 ..... | 50.00   |
| 40,000 ..... | 50.00   |
| 41,000 ..... | 49.00   |
| 42,000 ..... | 48.00   |
| 43,000 ..... | 48.00   |
| 44,000 ..... | 47.00   |
| 45,000 ..... | 47.00   |
| 46,000 ..... | 46.00   |
| 47,000 ..... | 46.00   |
| 48,000 ..... | 45.00   |
| 49,000 ..... | 45.00   |
| 50,000 ..... | 44.00." |

1 **SEC. 3. INDEXING OF PILT PAYMENTS FOR INFLATION; IN-**  
2 **STALLMENT PAYMENTS.**

3 Section 6903 of title 31, United States Code, is  
4 amended by adding at the end the following new sub-  
5 section:

1       “(d) On October 1 of each year after the date of en-  
 2       actment of the Payment in Lieu of Taxes Act, the Sec-  
 3       retary of the Interior shall adjust each dollar amount spec-  
 4       ified in subsections (b) and (c) to reflect changes in the  
 5       Consumer Price Index published by the Bureau of Labor  
 6       Statistics of the Department of Labor, for the 12 months  
 7       ending the preceding June 30.”.

8       **SEC. 4. LAND EXCHANGES.**

9       The second sentence of section 6902(b) of title 31,  
 10      United States Code, is amended by inserting before the  
 11      period the following: “and does not apply to payments for  
 12      lands conveyed to the United States in exchange for Fed-  
 13      eral lands”.

14      **SEC. 4. LAND EXCHANGES.**

15      *Section 6902 of title 31, United States Code, is amend-*  
 16      *ed to read as follows:*

17      **§6902. Authority and Eligibility.**

18      “(a) *The Secretary of the Interior shall make a pay-*  
 19      *ment for each fiscal year to each unit of general local gov-*  
 20      *ernment in which entitlement land is located, as set forth*  
 21      *in this chapter. A unit of general local government may*  
 22      *use the payment for any governmental purpose.*

23      “(b) *A unit of general local government may not re-*  
 24      *ceive a payment for land for which payment under this Act*  
 25      *otherwise may be received if the land was owned or admin-*

1 *istered by a State or unit of general local government and*  
 2 *was exempt from real estate taxes when the land was con-*  
 3 *veyed to the United States except that a unit of general*  
 4 *local government may receive a payment for—*

5           “(1) *land a State or unit of general local govern-*  
 6 *ment acquires from a private party to donate to the*  
 7 *United States within 8 years of acquisition;*

8           “(2) *land acquired by a State through an ex-*  
 9 *change with the United States if such land was enti-*  
 10 *tlement land as defined by this chapter; or*

11           “(3) *land in Utah acquired by the United States*  
 12 *for Federal land, royalties, or other assets if, at the*  
 13 *time of such acquisition, a unit of general local gov-*  
 14 *ernment was entitled under applicable State law to*  
 15 *receive payments in lieu of taxes from the State of*  
 16 *Utah for such land: Provided, however, That no pay-*  
 17 *ment under this paragraph shall exceed the payment*  
 18 *that would have been made under State law if such*  
 19 *land had not been acquired.”.*

20 **SEC. 5. EFFECTIVE DATE; TRANSITION PROVISIONS.**

21 (a) **EFFECTIVE DATES.—**

22           (1) **IN GENERAL.—**Except as provided in para-  
 23 graph (2), this Act and the amendments made by  
 24 this Act shall become effective on ~~October 1, 1993~~  
 25 *October 1, 1994.*

1           (2) LIMITATION.—The amendment made by  
 2       section 2(b)(2) shall become effective on ~~October 1,~~  
 3       ~~1998~~ *October 1, 1999*.

4       (b) TRANSITION PROVISIONS.—

5           (1) FISCAL YEAR ~~1994~~ *1995*.—During fiscal year  
 6       ~~1994~~ *1995*, the table at the end of section  
 7       6903(c)(2) of title 31, United States Code, is  
 8       amended to read as follows:

| <b>“If population equals—</b> | <b>the limitation<br/>is equal to the<br/>population<br/>times—</b> |
|-------------------------------|---|
| 5,000 .....                   | \$62.00   |
| 6,000 .....                   | 58.00   |
| 7,000 .....                   | 54.50   |
| 8,000 .....                   | 51.00   |
| 9,000 .....                   | 47.00   |
| 10,000 .....                  | 43.50   |
| 11,000 .....                  | 42.00   |
| 12,000 .....                  | 41.00   |
| 13,000 .....                  | 40.00   |
| 14,000 .....                  | 38.50   |
| 15,000 .....                  | 37.00   |
| 16,000 .....                  | 36.50   |
| 17,000 .....                  | 36.00   |
| 18,000 .....                  | 35.50   |
| 19,000 .....                  | 34.50   |
| 20,000 .....                  | 34.00   |
| 21,000 .....                  | 33.75   |
| 22,000 .....                  | 33.50   |
| 23,000 .....                  | 33.00   |
| 24,000 .....                  | 32.50   |
| 25,000 .....                  | 32.25   |
| 26,000 .....                  | 32.00   |
| 27,000 .....                  | 31.75   |
| 28,000 .....                  | 31.50   |
| 29,000 .....                  | 31.25   |
| 30,000 .....                  | 31.00   |
| 31,000 .....                  | 30.75   |
| 32,000 .....                  | 30.50   |
| 33,000 .....                  | 30.00   |
| 34,000 .....                  | 29.75   |
| 35,000 .....                  | 29.50   |
| 36,000 .....                  | 29.25   |
| 37,000 .....                  | 28.75   |
| 38,000 .....                  | 28.50   |



|              |          |
|--------------|----------|
| 39,000 ..... | 28.25    |
| 40,000 ..... | 28.00    |
| 41,000 ..... | 27.50    |
| 42,000 ..... | 27.25    |
| 43,000 ..... | 27.00    |
| 44,000 ..... | 26.50    |
| 45,000 ..... | 26.25    |
| 46,000 ..... | 26.00    |
| 47,000 ..... | 25.75    |
| 48,000 ..... | 25.50    |
| 49,000 ..... | 25.00    |
| 50,000 ..... | 24.75.”. |

1           (2) FISCAL YEAR ~~1995~~ 1996.—During fiscal year  
2     ~~1995~~ 1996, the table at the end of section  
3     6903(c)(2) of title 31, United States Code, is  
4     amended to read as follows:

| <b>“If population equals—</b> | <b>the limitation<br/>is equal to the<br/>population<br/>times—</b> |
|-------------------------------|---|
| 5,000 .....                   | \$74.00   |
| 6,000 .....                   | 69.50   |
| 7,000 .....                   | 65.00   |
| 8,000 .....                   | 61.00   |
| 9,000 .....                   | 56.00   |
| 10,000 .....                  | 52.00   |
| 11,000 .....                  | 50.50   |
| 12,000 .....                  | 49.00   |
| 13,000 .....                  | 47.50   |
| 14,000 .....                  | 46.00   |
| 15,000 .....                  | 44.50   |
| 16,000 .....                  | 43.50   |
| 17,000 .....                  | 43.00   |
| 18,000 .....                  | 42.00   |
| 19,000 .....                  | 41.50   |
| 20,000 .....                  | 41.00   |
| 21,000 .....                  | 40.25   |
| 22,000 .....                  | 40.00   |
| 23,000 .....                  | 39.50   |
| 24,000 .....                  | 39.00   |
| 25,000 .....                  | 38.50   |
| 26,000 .....                  | 38.25   |
| 27,000 .....                  | 38.00   |
| 28,000 .....                  | 37.50   |
| 29,000 .....                  | 37.25   |
| 30,000 .....                  | 37.00   |
| 31,000 .....                  | 36.75   |
| 32,000 .....                  | 36.25   |
| 33,000 .....                  | 36.00   |

|              |          |
|--------------|----------|
| 34,000 ..... | 35.50    |
| 35,000 ..... | 35.00    |
| 36,000 ..... | 34.75    |
| 37,000 ..... | 34.50    |
| 38,000 ..... | 34.00    |
| 39,000 ..... | 33.75    |
| 40,000 ..... | 33.25    |
| 41,000 ..... | 33.00    |
| 42,000 ..... | 32.50    |
| 43,000 ..... | 32.25    |
| 44,000 ..... | 32.00    |
| 45,000 ..... | 31.50    |
| 46,000 ..... | 31.00    |
| 47,000 ..... | 30.75    |
| 48,000 ..... | 30.50    |
| 49,000 ..... | 30.00    |
| 50,000 ..... | 29.50.”. |

1           (3) FISCAL YEAR ~~1996~~ 1997.—During fiscal year  
2     ~~1996~~ 1997, the table at the end of section  
3     6903(c)(2) of title 31, United States Code, is  
4     amended to read as follows:

| <b>“If population equals—</b> | <b>the limitation<br/>is equal to the<br/>population<br/>times—</b> |
|-------------------------------|---|
| 5,000 .....                   | \$86.00   |
| 6,000 .....                   | 81.00   |
| 7,000 .....                   | 76.00   |
| 8,000 .....                   | 71.00   |
| 9,000 .....                   | 65.50   |
| 10,000 .....                  | 60.00   |
| 11,000 .....                  | 58.50   |
| 12,000 .....                  | 57.00   |
| 13,000 .....                  | 55.00   |
| 14,000 .....                  | 53.50   |
| 15,000 .....                  | 51.50   |
| 16,000 .....                  | 51.00   |
| 17,000 .....                  | 50.00   |
| 18,000 .....                  | 49.00   |
| 19,000 .....                  | 48.00   |
| 20,000 .....                  | 47.50   |
| 21,000 .....                  | 47.25   |
| 22,000 .....                  | 46.25   |
| 23,000 .....                  | 46.00   |
| 24,000 .....                  | 45.25   |
| 25,000 .....                  | 45.00   |
| 26,000 .....                  | 44.50   |
| 27,000 .....                  | 44.00   |
| 28,000 .....                  | 43.75   |

|              |          |
|--------------|----------|
| 29,000 ..... | 43.50    |
| 30,000 ..... | 43.00    |
| 31,000 ..... | 42.50    |
| 32,000 ..... | 42.00    |
| 33,000 ..... | 41.75    |
| 34,000 ..... | 41.25    |
| 35,000 ..... | 41.00    |
| 36,000 ..... | 40.50    |
| 37,000 ..... | 40.00    |
| 38,000 ..... | 39.50    |
| 39,000 ..... | 39.00    |
| 40,000 ..... | 38.75    |
| 41,000 ..... | 38.25    |
| 42,000 ..... | 38.00    |
| 43,000 ..... | 37.50    |
| 44,000 ..... | 37.00    |
| 45,000 ..... | 36.50    |
| 46,000 ..... | 36.00    |
| 47,000 ..... | 35.75    |
| 48,000 ..... | 35.25    |
| 49,000 ..... | 35.00    |
| 50,000 ..... | 34.50.”. |

1           (4) FISCAL YEAR ~~1997~~ 1998.—During fiscal year  
2   ~~1997~~ 1998, the table at the end of section  
3   6903(c)(2) of title 31, United States Code, is  
4   amended to read as follows:

| <b>“If population equals—</b> | <b>the limitation<br/>is equal to the<br/>population<br/>times—</b> |
|-------------------------------|---|
| 5,000 .....                   | \$98.00   |
| 6,000 .....                   | 92.00   |
| 7,000 .....                   | 86.00   |
| 8,000 .....                   | 80.50   |
| 9,000 .....                   | 74.50   |
| 10,000 .....                  | 68.50   |
| 11,000 .....                  | 66.50   |
| 12,000 .....                  | 64.50   |
| 13,000 .....                  | 63.00   |
| 14,000 .....                  | 61.00   |
| 15,000 .....                  | 59.00   |
| 16,000 .....                  | 58.00   |
| 17,000 .....                  | 57.00   |
| 18,000 .....                  | 56.00   |
| 19,000 .....                  | 55.00   |
| 20,000 .....                  | 54.00   |
| 21,000 .....                  | 53.50   |
| 22,000 .....                  | 52.75   |
| 23,000 .....                  | 52.00   |

|              |          |
|--------------|----------|
| 24,000 ..... | 51.50    |
| 25,000 ..... | 51.00    |
| 26,000 ..... | 50.50    |
| 27,000 ..... | 50.25    |
| 28,000 ..... | 50.00    |
| 29,000 ..... | 49.50    |
| 30,000 ..... | 49.00    |
| 31,000 ..... | 48.50    |
| 32,000 ..... | 48.00    |
| 33,000 ..... | 47.50    |
| 34,000 ..... | 47.00    |
| 35,000 ..... | 46.50    |
| 36,000 ..... | 46.00    |
| 37,000 ..... | 45.50    |
| 38,000 ..... | 45.00    |
| 39,000 ..... | 44.50    |
| 40,000 ..... | 44.00    |
| 41,000 ..... | 43.50    |
| 42,000 ..... | 43.00    |
| 43,000 ..... | 42.75    |
| 44,000 ..... | 42.25    |
| 45,000 ..... | 41.75    |
| 46,000 ..... | 41.25    |
| 47,000 ..... | 40.75    |
| 48,000 ..... | 40.25    |
| 49,000 ..... | 39.75    |
| 50,000 ..... | 39.25.”. |

